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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/058,015	01/29/2002	Jung-Kuei Lin	LIN=178	3093

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EXAMINER

PRONE, JASON D

ART UNIT	PAPER NUMBER
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3724

DATE MAILED: 09/17/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/058,015

Applicant(s)

LIN ET AL.

Examiner

Jason Prone

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1011 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 January 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "scale length" of claim 11, must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: In Figure 2, item "86". A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: On page 5 line 18, item "317". On page 6 lines 21-24, items "52", "53", "54", and "501". On page 7 lines 10, 12, and 13, items "61", "62", "63". A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

4. The disclosure is objected to because of the following informalities: On page 4 line 9, the word "bas" should be replaced with "base". On page 4 line 12, the phrase "in FIG.)" should be replaced with "in FIG. 4.". On page 6, the third paragraph discusses a first cutter and a second cutter and refers the reader to Fig. 5, however, Figure 5 does not contain the first or second cutter labels (50 or 60). The specification contains numerous grammar errors and many instances where phrases do not make any sense. For example, the first full paragraph on page 6 is unclear.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 1-11 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

7. On page 5 line 18, it is unclear what the structure of the two guide rails 216 and 317 is and how these guide rails actually work. Figure 2 is the only figure to show the guide rail and it is only a top view of 216. It is uncertain, from this Figure and the detailed description, how the guide rails could guide anything or what it is guiding. On

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page 6 lines 19-20, it is unclear how the sliding pieces 51 (see below) engage the sliding rails 216. Also, on page 7 lines 10-11, it is unclear how the sliding pieces 61 (see below) engage the sliding rails 317.

8. On page 6 last paragraph, the structure of the two sliding pieces, cutter boards, and the passage are unclear. From Figure 2, which only shows a sliding piece, and the detailed description, it is uncertain how the sliding piece slides. Also, from the detailed description, it is uncertain how the two sliding pieces, cutter boards, and the passage all are connected or how they work together.

9. On page 7 lines 10-16, the structure of the two sliding pieces, cutter boards, and the passage are unclear. From the detailed description, it is uncertain how the two sliding pieces, cutter boards, and the passage all are connected or how they work together.

10. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

11. Claims 2, 4-6, 8, and 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

12. In regards to claim 2 lines 6-8, the phrase "a slat receiving formed in between said transverse sliding block and said transverse guiding slot" is unclear. First it is uncertain what a "slat receiving" is. Second, it is uncertain how something can be formed in between the transverse sliding block and the transverse guiding slot.

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13. In regard to claim 4, the phrase "wherein said cutter locates at side of said molds..." is unclear.
14. Claims 4 and 6 recites the limitation "said cutters" on line 3 and line 6 respectively. There is insufficient antecedent basis for this limitation in the claim.
15. In regards to claim 6, it is unclear how the cutter connects to the shifting block respectively by a connecting bar.
16. In regards to claims 5, 8, and 9, it is unclear what the structure of the two transverse guiding rails and the two sliding pieces are. Also it is uncertain how these two items interact. See paragraphs 7-9 above for more detail.
17. In regards to claim 8, the "at least one spring" is unclear. There is no mention of such a spring in the detailed description nor is it shown in the drawing. Also it is unclear how it would interact with the guiding bar and the sliding block.

Claim Rejections - 35 USC § 103

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

19. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Daniels et al. in view of Liu. Daniels et al. discloses the invention including a machine base (30), at least two molds disposed on the machine base at different heights (122 and 132), that each mold has at least one receiving hole for the material to be cut (128 and 133), one cutter slidably disposed at one side of the molds (138), that the cutting distance can

cross the receiving holes (Fig. 9), a cutter driving assembly disposed at the machine base for driving the cutter (200) but fails to disclose a work table disposed at one side of the machine base and that the work table has seats corresponding the molds. Liu teaches a work table disposed at one side of the machine base (70) and that the worktable has seats corresponding the molds (71-74). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have provided Daniels et al. with the worktable, as taught by Liu, for additional work support.

Claims 2-11 are not rejected over art due to the lack of clarity stated in the 35 USC § 112 rejections above. At this time, the Examiner is unable to comment on the allowability of these claims over the prior art.

Conclusion

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Dekker et al., Yannazzone, Sands et al., Wang, Marocco ('394), Pluber, Marocco ('134), Marocco ('099), Hsu ('824), Graves et al., Sudano, Marocco ('388), Wang et al., Hsu ('571), and Roberts et al.

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Prone whose telephone number is 703-605-4287. The examiner can normally be reached on 7:30-5:00, Mon - (every other) Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan N. Shoap can be reached on 703-308-1082. In lieu of mailing, it is encouraged that all formal responses be faxed to 703-872-9302.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.

A handwritten signature, possibly reading "JP", in black ink.

JP
September 9, 2003

A handwritten signature in black ink, appearing to be "all" followed by a long horizontal stroke.

Allan N. Shoap
Supervisory Patent Examiner
Group 3700